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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,678

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EXAMINER

ASDJODI, MOHAMMAD REZA

ART UNIT

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1796

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/583,678	Applicant(s) BOEREFIJN ET AL.	
	Examiner MOHAMMAD R. ASDJODI	Art Unit 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/31/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 5, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Velazquez et al. (US 6, 458,754 B1), in view of Weldes et al. (US 3,783,008).

Regarding claims 1-3, 5, 6, and 8, Velazquez et al. teach an enhanced perfume particles and detergent composition comprising: a granulate detergent particles with functional core of deterative agents; [8: 35-40, 9: 36-40], softener by the amount of 0.0-80%; [9: 50-59], and solid ingredients such as surfactants and builders; [9: 20-60],

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wherein the coated granule comprises 0.01-50% of encapsulated perfume (HIA); [9: 21-25], and composition can comprise un-encapsulated perfume; [3: 5-12].

With respect to claim 1, Velazquez et al. do not teach the detergent granulate itself, also, being encapsulated. However, Weldes et al. teach a preparation process for coated detergent granule comprising cleaning material and perfumes; [abstract, 1: 29]. Weldes et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize the encapsulation (or coating) of granulated detergent composition of Weldes with the motivation of a material delivery with more stability and longer life time as evidenced by Weldes et al.

Claims 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Velazquez et al. (US 6, 458,754 B1), and Weldes et al. (US 3,783,008), as applied to claim 1 above, and further in view of Walley et al. (US 5,066,419).

Regarding claims 4, and 7, Velazquez et al. teach the basic granular detergent composition (including builders by the amount of 50-99%; [11, 62-63, 12: 29]) as set forth for claim 1 above.

With respect to claim 4, Velazquez et al. do not teach the coating material such as formaldehyde. However, Walley et al. teach a coated perfume particles coated by melamine-urea-formaldehyde; [4: 59-65]. Walley et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions. At the time of invention, it would have been obvious to a

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person of ordinary skill in the art to use perfume encapsulating material of Walley, melamine-urea-formaldehyde, for Velazquez et al.'s composition, with the motivation of timely release of perfumes during the washing cycles, as evidenced by Walley et al.

With respect to claim 7, Velazquez et al. do not teach linear alkyl benzene sulfonate. However, Walley et al. teach a granular laundry detergent comprising linear alkyl benzene sulfonate by the amount of 7.5%; [11: 42]. At the time of invention, it would have been obvious to a person of ordinary skill in the art to use alkyl sulfonate surfactant of Walley in Velazquez et al.'s composition, with the motivation of enhancing its deterative properties, as evidenced by Walley et al.

Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Velazquez et al. (US 6, 458,754 B1), in view of Weldes et al. (US 3,783,008), and Walley et al. (US 5,066,419).

Regarding claims 9-12, and 13-15, Velazquez et al. teach a process for making a granular detergent; [10: 1-40], providing softener; [9: 50-59], and solid ingredients such as surfactants and builders; [9: 20-60], wherein the composition comprises unencapsulated perfume; [3: 5-12], admixed with one or more solid ingredients; [9: 20-60], and coated granules are granular; [9: 55-62].

With respect to claim 9, Velazquez et al. do not specifically teach spraying detergent with slurry to form a coated granulate. However, Weldes et al. teach a preparation process for a coated detergent granule wherein the slurry is sprayed for coating detergent. Weldes et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions; [3: 54-60, 4:

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43]. At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize Weldes's method for coating the granulate detergent with encapsulated perfume slurry with the motivation of simplicity and cost effectiveness.

With respect to claims 11 and 12, Velazquez et al. do not, specifically, teach viscosity modifier and presence of initial slurry in the process of preparation. However, Walley et al. teach a viscosity modifier such as carboxymethyl cellulose (also indicated in the specification of this application); 10: 52], and a process of preparing coated perfume particles for coating including slurry and spraying steps; [10: 5-65]. Walley and Velazquez are analogous art because they are from the same field of endeavour, that of fabric treatment compositions containing encapsulated ingredients. At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize Walley's viscosity modifier and method with the motivation of optimizing the preparation process of cleaning composition.

With respect to claim 12, Velazquez et al. teach a process for making a granular detergent using Shugi Granulator under trademark of "Lodige KM600 Mixer. This equipment is capable of operating in a low and medium shear mixing condition (as evidenced by US 5,736,502).

Response to Arguments

Applicant's arguments, see pages 4, and 5, filed 10/31/08, with respect to rejections of claims 1, and 9 have been fully considered and are persuasive. The rejection 102(b) of above mentioned claims has been withdrawn. However, upon

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further consideration, a new ground(s) of rejection is made in view of Weldesl in the action above. This action is non-final.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. M. Reza Asdjodi whose telephone number is (571)270-3295. The examiner can normally be reached on Monday-Friday 8:00-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1796

/M. R. A./
Examiner, Art Unit 1796
01/08/09